

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Joseph et al. Examiner: Jyoti Chawla  
Serial No.: 10/805,779 Art Unit: 1794  
Filed: March 22, 2004 Conf. No.: 9928  
Title: A Non-Dairy Whippable Food Product

**Response to Interview Summary**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner Interview Summary dated December 29, 2008, Applicants provide the following comments. The Lynch reference (U.S. Patent No. 6,203,841) as it pertains to the present invention was discussed. Applicants presented arguments to distinguish the present invention over the Lynch reference. Further, the 37 C.F.R. 1.132 Declaration filed on June 2, 2008 was also discussed with respect to the evidence submitted therein. Based on the discussion Applicants filed a response to the pending Office Action on December 31, 2008.

Respectfully submitted,  
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